



United States Government

NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET, SE
WASHINGTON, DC 20570

January 30, 2018

Steven D. Wheelless
Erin Norris Bass
Steptoe & Johnson LLP
201 East Washington St., Suite 1600
Phoenix, AZ 85004

Re: Bodega Latina Corporation d/b/a El Super
Case 21-CA-183276

Dear Counsels:

This letter acknowledges receipt of Respondent's Exceptions to the December 29, 2017 Decision of the Administrative Law Judge, and Brief in Support of Exceptions, filed with the Board on January 29, 2018.

Section 102.46(a) of the Board's Rules and Regulations provides for the filing of exceptions and briefs in support of exceptions with the Board "within 28 days...from the service of the order transferring the case to the Board." The Order Transferring Proceeding to the National Labor Relations Board was served on December 29, 2017. See NLRB Rules and Regulations Sec. 102.3. The due date for the filing of exceptions, as stated in that Order, was January 26, 2018. Because the Respondent's exceptions and supporting brief were filed on January 29, 2018, however, they are untimely and will not be forwarded to the Board for consideration.

Section 102.2(d) of the Board's Rules and Regulations allows for parties to file documents within a reasonable time after the due date only upon good cause shown based on excusable neglect and when no undue prejudice would result. "A party seeking to file such documents beyond the time prescribed by these Rules must file, along with the document, a motion that states the grounds relied on for requesting permission to file untimely. The specific facts relied on to support the motion must be set forth in affidavit form and sworn to by individuals with personal knowledge of the facts." In order for the Board to consider the Respondent's untimely filed exceptions and brief, you must follow the prescribed method outlined in Section 102.2(d), which requires a sworn affidavit by individuals with personal knowledge of the facts.

Very truly yours,

/s/ Farah Z. Qureshi
Associate Executive Secretary

cc: Parties